

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE G. DEWBERRY,

Defendant.

)
)
)
)
)
)
)
)
)
)

No. 15-00053-01-CR-W-DW

ORDER

Before the Court is the Report and Recommendation (Doc. 39) of Magistrate Judge Robert E. Larsen. On September 14, 2015, Defendant was ordered to undergo a psychological examination to determine his competency to stand trial. Defendant was examined by Robert Johnson, Ph.D, who filed a report including the opinion that Defendant “does not appear to suffer from a mental disease or defect rendering him unable to understand the nature and consequences of the proceedings against him or to properly assist in his defense.” During the November 19, 2015, competency hearing, the parties stipulated to the contents of Dr. Johnson’s report and waived the 14-day period to file objections to the Report and Recommendation. Accordingly, it is ORDERED that:

1. The Report and Recommendation (Doc. 39) is adopted in its entirety, and this Court finds that Defendant is competent to stand trial;
2. Pursuant to 18 U.S.C. §§ 3161(h)(1)(A) and (h)(4), the time between September 10, 2015, and the date of this order is excluded in computing the time within which the trial of this criminal action must commence; and
3. This action is set for trial on the joint criminal jury trial docket commencing November 30, 2015.

SO ORDERED.

Date: November 20, 2015

/s/ Dean Whipple
Dean Whipple
United States District Judge